

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

Return Date: October 22, 2013
Time: 10:00 a.m.

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In re:

GLENROY PAUL

Chapter 13
Case No.: 113-44918-608

Debtor(s)

NOTICE OF MOTION

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SIRS / MADAMS:

PLEASE TAKE NOTICE, that MICHAEL J. MACCO, Chapter 13 Trustee of the above captioned estate, will move before the Honorable Carla E. Craig, United States Bankruptcy Judge, on the 22nd day of OCTOBER, 2013 at 10:00AM, at the United States Bankruptcy Court located at 271 Cadman Plaza East – Courtroom 3529, Brooklyn, New York 11201, for an Order pursuant to 11 U.S.C. §§ 503(b), 521, 1307(c), & 1326(a)(2), dismissing this case, by reason of the debtor(s)' failure to file and/or provide documents, paying to the Trustee reasonable, necessary costs and expenses, and for such other and further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE, that answering papers, if any, shall be filed with the Court and served on the undersigned no later than seven (7) days prior to the return date of this motion.

Dated: Melville, New York
September 26, 2013

Yours, etc.

MICHAEL J. MACCO
Chapter 13 Trustee
135 Pinelawn Road, Suite 120 South
Melville, New York 11747
(631) 549-7900

To: *Office of the United States Trustee*
Glenroy Paul
Arlene Gordon-Oliver, Esq., Attorney for Debtor(s)

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

GLENROY PAUL

tmm1634

Chapter 13

Case No.: 113-44918-608

Debtor(s)

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APPLICATION

TO THE HONORABLE CARLA E. CRAIG, UNITED STATES BANKRUPTCY JUDGE:

MICHAEL J. MACCO, Chapter 13 Trustee of the above captioned estate, respectfully represents, as follows:

1. The debtor(s) filed a petition under the provisions of 11 U.S.C. Chapter 13 on August 12, 2013, and thereafter MICHAEL J. MACCO was duly appointed and has qualified as Trustee.
2. As of this date of this motion, the debtor(s) has failed to provide the Trustee with a lease agreement for \$4,500.00; an affidavit of contribution including pay stubs attached from spouse for \$2,984.74; list of business assets and their fair market value including aging accounts receivable; operating reports with bank statements and proof of tax deposits; an amended Chapter 13 Plan; and an amended Schedule E.
3. This is a material default and is prejudicial to the rights of the creditors of the debtor.

WHEREFORE, the Trustee prays for an Order pursuant to the provisions of 11 U.S.C. §§ 503(b), 521, 1307(c), & 1326(a)(2), dismissing this case, and paying to the Trustee reasonable, necessary costs and expenses, and for such other and further relief as this Court deems just and proper.

Dated: Melville, New York
September 26, 2013

/s/ Michael J. Macco
Michael J. Macco, Chapter 13 Trustee
135 Pinelawn Road – Suite 120 South
Melville, New York 11747
(631) 549-7900

STATE OF NEW YORK)
COUNTY OF SUFFOLK) ss.:

LONI BRAGIN, being duly sworn deposes and says: deponent is not a party to this action, is over 18 years of age and resides in Suffolk County, New York.

On September 26, 2013, deponent served the within:

NOTICE OF MOTION AND APPLICATION

upon the following parties, at the addresses designated by said parties for that purpose, by depositing a true copy of same, enclosed in a post-paid, properly addressed wrapper in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York:

*Office of the United States Trustee
U.S. Federal Office Building
201 Varick Street, Ste. 1006
New York, NY 10014*

*Glenroy Paul
974 Rutland Road, Apt. 3F
Brooklyn, NY 11212*

*Arlene Gordon-Oliver, Esq.
Attorney for Debtor(s)
199 Main Street, Ste. 203
White Plains, NY 10601*

/s/ Loni Bragin
LONI BRAGIN

Sworn to before me this
26th day of SEPTEMBER, 2013

/s/ Janine M. Zarrilli

NOTARY PUBLIC

Janine M. Zarrilli
Notary Public, State of New York
No. 01ZA5084708
Qualified in Nassau County
Commission Expires September 8, 2017